

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAMUHAMMAD KHAN,
Plaintiff,

v.

HALEY MADSEN, et al.,
Defendants.

Case No. 23-cv-06141 BLF (PR)

**ORDER DENYING MOTION FOR
EXTENSION OF TIME AS MOOT;
DIRECTING PLAINTIFF TO FILE
MOTION TO REOPEN AND
SECOND AMENDED COMPLAINT**

(Docket No. 35)

Plaintiff, a state prisoner, filed the instant *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against prison staff at the Correctional Training Facility (“CTF”). The Court dismissed the first amended complaint with leave to amend, and thereafter granted Plaintiff an extension of time until August 7, 2024, to file a second amended complaint. Dkt. Nos. 30, 32. When the deadline passed with no response from Plaintiff, the Court dismissed the action on August 19, 2024, and entered judgment the same day. Dkt. Nos. 33, 34.

On August 20, 2024, Plaintiff filed a motion for an extension of time to file a second amended complaint, stating that he was paroled last month and has not received mail from the court since that time. Dkt. No. 35. He requests an update on the case and access to ECF. *Id.* Plaintiff’s request for an extension of time is DENIED as moot since

1 this action is now closed. However, Plaintiff may move to reopen this action along with a
2 second amended complaint **no later than twenty-eight (28) days** from the date this order
3 is filed. Failure to respond in that time will mean this matter will remain closed.

4 Plaintiff shall be provided with a copy of the docket as a status update. As for
5 access to ECF, Plaintiff may consult the Court's public website, www.cand.uscourts.gov,
6 click on the "ELECTRONIC CASE FILING" link, and review "New Registration
7 Instructions for Pro Se (Self-Represented) Litigants." Plaintiff should review the
8 requirements for e-filing as a pro se litigant and see if he is able to abide by them, which
9 requires having regular access to the technical requirements necessary to e-file
10 successfully. If this case is reopened, Plaintiff may then move for permission for
11 electronic case filing. Plaintiff is advised that if this matter is granted e-filing status, all
12 documents (orders and motions from opposing parties) will be served on Plaintiff only
13 electronically and no paper copy will be sent to him. He will also be responsible for e-
14 filing all his papers.

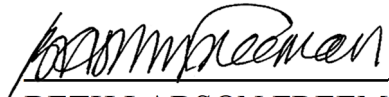
15 The Court also notes that Plaintiff has failed to provide a current address. He
16 should provide a current address to avoid further delays in communication with the Court.

17 The Clerk shall include a copy of the docket with a copy of this order to Plaintiff.

18 This order terminates Docket No. 35.

19 **IT IS SO ORDERED.**

20 **Dated: _August 21, 2024_**


BETH LABSON FREEMAN
United States District Judge